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PTO/SB/29 (12/97)

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No.	8666-007-999	Total Pages	58
	First Named Inventor or Application Identifier			
	KORNGOLD et al.			
	Express Mail Label No.	EL 236 251 213 US		

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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1. ☒ Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing*
2. ☒ Specification [Total Pages 58]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) *(35 USC 113)* [Total Sheets - .4]
4. ☒ Oath or Declaration [Total Sheets 2]
  - ☐ Newly executed (original or copy)
  - ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
*[Note Box 5 below]*
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☒ Incorporation By Reference *(useable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program *(Appendix)*
7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a. ☐ Computer-Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

#### ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
*(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
14. Small Entity ☒ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Other:

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:  
☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08/672,610 filed June 28, 1996, P&E No. (8666-003-999)

#### 18. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	20583 <i>(Insert Customer No. or Attach bar code label here)</i>	or <input type="checkbox"/> Correspondence address below
NAME	PENNIE & EDMONDS, LLP	
ADDRESS		
CITY	STATE	ZIP CODE
COUNTRY	TELEPHONE	FAX

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Prior application: Examiner H. BAKALYARArt Unit 1645Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 08/672,610 filed on June 28, 1996.

of Robert Korngold and Ziwei Huang  
(inventor(s) currently of record in prior application)for CD-4 DERIVED PEPTIDES THAT INHIBIT IMMUNE RESPONSES

(title of invention)

☒ The filing fee is calculated below:

## PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	19	-20	-1	\$22.00 each	-22.00
Independent	5	-3	2	\$82.00 each	164.00
Basic Fee					790.00
Multiple Dependency Fee If Applicable (\$270.00)					
Total					932.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- 466.00
Total Filing Fee					\$ 466.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.3. ☒ Amend the specification by inserting before the first line the following sentence: This is a ☐ continuation, ☒ division, of application no.08/672,610, filed June 28, 1996.

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- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 4b. ☒ Formal drawings are enclosed.
- 4c. ☐ Informal drawings are enclosed.
- 5a. ☒ Priority of Provisional applications no. 60/000,710 filed on June 29, 1995 and no. 60/004,034 filed on September 20, 1995 is claimed under 35 U.S.C. §119 (e).
- 5b. ☐ The certified copy has been filed in prior application no. \_\_\_\_\_, filed \_\_\_\_\_.
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6. ☐ The prior application is assigned of record to.
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 08/672,610 filed June 28, 1995.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. \_\_\_\_\_, filed \_\_\_\_\_ is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no. 08/672,610, filed on June 28, 1995, be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. 08/672,610 is enclosed as part of the application.
9. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. 08/672,610 is the same as the content of the computer readable form submitted in application no. 08/672,610.
10. ☐ Additional enclosures or instructions.

December 7, 1998  
(date)

Respectfully submitted,

*Thomas E. Friebel* 40,611  
for Thomas E. Friebel 29,258  
Thomas E. Friebel, Esq. Reg. No.  
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